

JUN 10-05

14:08

FROM-Dinsmore &amp; Shohl Dayton

9374496405

T-444 P.001/003 F-319

**Dinsmore&Shohl LLP**  
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**FACSIMILE TRANSMITTAL**

June 10, 2005

*from JAMES E. BEYER*

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**To:** Examiner Michael P. Mooney  
**Firm:** Commissioner for Patents  
**Fax Number:** 703-872-9306  
**Client Number:** OPI 0008 PA/41004.16  
**Pages:** 3  
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**Comments:** OFFICIALOFFICIALOFFICIAL

Application of  
 Applicants : Ridgway et al.  
 Serial No. : 10/658,218  
 Filed : September 9, 2003  
 Title : ELECTROOPTIC MODULATORS AND  
           WAVEGUIDE DEVICES INCORPORATING THE  
           SAME  
 Docket : OPI 0008 PA/41004.16  
 Examiner : Michael P. Mooney  
 Art Unit : 2883  
 Conf. No. : 2716

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## Application of

Applicants : Ridgway et al.  
 Serial No. : 10/658,218  
 Filed : September 9, 2003  
 Title : **ELECTROOPTIC MODULATORS AND WAVEGUIDE  
DEVICES INCORPORATING THE SAME**  
 Docket : OPI 0008 PA/41004.16  
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 Art Unit : 2883  
 Conf. No. : 2716

**MAIL STOP AMENDMENT**  
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 P.O. Box 1450  
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39,564  
Reg. No.

Sir:

Response to Restriction/Election Requirement

This paper is being filed in response to the Office Action of June 3, 2005. Claims 1-68 are pending in the present application. Applicants note that the Office Action appears to identify incorrectly the various groups of allegedly distinct invention. However, after careful review of the Office Action and the pending application, it appears as though the intent of the Office Action was to identify the three different embodiments referred to in paragraphs [0003], [0004], and [0006] as patentably distinct species. Further, the electrode configurations of Figs. 2A, 2B, and 2C appear to have been identified as sub-species under these three species. Working under this assumption, application hereby elects the species of paragraph [0003] and the sub-species of Fig. 2A for substantive examination.

Claims 1-37, 39, 43-47, and 64-68 read on the elected species.

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14:09

FROM-Dinsmore & Shohl Dayton

9374496405

T-444 P.003/003 F-319

Serial No. - 10/658,218  
Docket No. OPI 0008 PA/41004.16  
Art Unit - 2883

Applicants respectfully submit that the present application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

DINSMORE & SHOHL LLP

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